

June 5, 2013

Murry Wilson, Environmental Resource Specialist  
Department of Planning and Building  
976 Osos, St., Rm. 300  
San Luis Obispo, CA 93408-2040

RE: Las Pilitas Quarry Draft Environmental Impact Report

Dear Mr. Wilson,

Thank you for the opportunity to submit comments on the Las Pilitas Quarry Conditional Use Permit And Reclamation Plan Draft Environmental Impact Report (DEIR).

The EIR is used to disclose to decision makers and the public the environmental effects of proposed activities. Decision makers will be making an important decision on whether to approve, conditionally approve or disapprove the issuance of a permit and reclamation plan for this proposed surface mining operation.

A complete, accurate and full disclosure document is necessary and important to all stakeholders.

#### COMMENTS

#### EXECUTIVE SUMMARY

Pg. ES-1. The DEIR lists the Responsible Agencies under CEQA.

How were these agencies contacted during preparation of the DEIR? Were there any other agencies that asked to be notified of the availability of the DEIR? How were these agencies notified?

Pg. ES-2. On July 8, 2010, the County staff conducted a public Scoping Meeting. Twenty-four persons provided comments and suggestions on the physical impacts to be discussed in the forthcoming Draft EIR.

It is not mentioned that the County received close to 200 EIR scoping comment letters with concerns regarding the proposed project. The attendees in the packed meeting room at the Santa Margarita Community Center were informed they could make verbal comment, but it was best to submit written comment. These scoping comment letters can be viewed on the County website under Scoping Meeting Documents.

<http://www.slocounty.ca.gov/planning/environmental/EnvironmentalNotices/oster.htm>

## 4.1 AESTHETICS AND VISUAL RESOURCES

Pg. 4.1-2 As identified in the DEIR, this project if approved will have a significant and unmitigable visual impact to the vicinity and SR58 scenic corridor.

The visual simulations in the DEIR showing phases with revegetation are somewhat muted and do not adequately depict the unnatural contrast to the ridgelines that will actually be created and remain forever.

An additional visual impact not addressed in the DEIR is the large gravel trucks that will be parked and lined up throughout the haul route on SR58 from Santa Margarita to the project entrance. The applicant previously stated that there is not an adequate truck staging area and would need to radio trucks to let them know when the quarry could accommodate them. The DEIR is now identifying the steep quarry entrance road as the staging area. It is not adequate and trucks will be staging along the haul route.

## 4.8 NOISE

The DEIR does not adequately evaluate the noise impacts to adjacent and nearby residential uses.

The noise analysis report prepared by David Dubbink Associates (March, 2010) for the project applicant does not adequately describe details pertinent to the conduction of the noise analysis for the nearby residential uses and makes inaccurate assumptions.

Dubbink report:

The properties closest to the quarry site are within the same extractive area overlay. The county's policies recognize the economic benefits of resource extraction and call for a balanced assessment of compatibility concerns.

The County's noise standards do not apply to "agricultural land uses" listed in Section 22.06.030 of the Land Use code. Table 2-2 of this section includes "mines and quarries" among the allowable uses for Agriculture, Rural Lands and Rural Residential lands.

Comments:

My residence is on the adjacent parcel to the west of the proposed project parcels and was identified as a receptor. My parcel is not within an extractive area overlay.

Quarry operations are not an agricultural use. This proposed quarry/ asphalt and concrete recycling operation is without a doubt an industrial use and is subject to noise level standards.

The following is cited from the San Luis Obispo County Noise Element:

For new proposed resource extraction, manufacturing or processing noise sources or modifications to those sources which increase noise levels: where such noise sources will expose existing noise-sensitive land uses (which are listed in the Land Use Element as allowable uses within their land use categories) to noise levels which exceed the standards in Table 3-2, best available control technologies shall be used to minimize noise levels. The noise levels shall in no case exceed the noise level standards in Table 3-2.

The DEIR did not adequately peer review the Dubbink Associates, March, 2010 study commissioned by the applicant. The report makes many assumptions.

The report states that residence 1 has a berm that has been erected to reduce noise exposure. In actuality, this berm does not function as a noise barrier to the residence and is only about 2.5 feet high at the point closest to the residence facing the road in the direction of the project driveway.

What type and age of truck and at what speed was the truck driven that was used to measure noise levels at residence 1? Were compression brakes used? At what height was the reading taken from the truck?

It is not clear in the report what areas of the proposed project site were included in the evaluation.

Site details have changed since the Dubbink noise report was submitted. Was the newly defined truck staging on the steep quarry entrance road included. What other project details have changed since the report was submitted?

#### 4.15 EFFECTS THAT ARE LESS THAN SIGNIFICANT

##### 4.15-3 Scenic Vistas/Salinas River Trail (Impact AES-2)

Pg. 4.15-2 The reasons stated why the effects were not found significant are weak. "Although the project will create graded slopes into natural hillsides in the general vicinity of the proposed Salinas River trail corridor, those views will be blocked by existing vegetation and intervening topography."

The area along the Salinas River in the project vicinity which includes the historic 1914 bridge is a highly scenic area. The vegetation is not dense and most of it is deciduous and provides little screening from areas at higher elevations such as the proposed project site.

Sincerely,

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